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DATE: JULY 2, 2003

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COMPANY: U.S. PATENT AND TRADEMARK OFFICE

TC 1700

FROM: EUGENE M. LEE, REG. NO. 32,039

FAX NUMBER: 703.872-9310

TOTAL NO. OF PAGES INCLUDING COVER: 3

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OUR REFERENCE NUMBER: 249/269

RE: U.S. PATENT APPLICATION SERIAL NO. 09/888,435

Transmitted herewith is:

"RESPONSE TO REQUIRMENT FOR RESTRICTION" in connection with application Serial No. 09/888,435 pending in Art Unit 1746 before Examiner D. Scaltrito.

Return receipt, via facsimile [to 703.525.4265], of the above-referenced RESPONSE TO REQUIREMENT FOR RESTRICTION is hereby requested.

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LEE & STERBA, P.C.

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TC 1700

Attorney Docket No. 249/269

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEOFFICE
#6
AS
7/9/3

In re the Application of

Do-young SEUNG, et al.

Art Unit: 1746

Serial No. 09/888,435

Examiner: D.V. Scaltrito

Filed: June 26, 2001

Confirmation No. 9662

For: CATHODE ACTIVE MATERIAL AND
LITHIUM BATTERY EMPLOYING THE
SAME**RESPONSE TO REQUIREMENT FOR RESTRICTION**Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Responsive to the requirement set forth in the Action dated June 2, 2003, applicants hereby provisionally elect the subject matter of Group I, Claims 1-5, drawn to a cathode active material for a lithium battery, classified in class 429, subclass 213.

Applicants reserve the right to file divisional applications directed to the non-elected subject matter.

Action on the merits is solicited.

Respectfully submitted,

LEE & STERBA, P.C.

Date: July 2, 2003
Eugene M. Lee, Reg. No. 32,039LEE & STERBA, P.C.
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